



DONALD L. WOLFE, Director

COUNTY OF LOS ANGELES

DEPARTMENT OF PUBLIC WORKS

"To Enrich Lives Through Effective and Caring Service"

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IN REPLY PLEASE

REFER TO FILE: **C-1**

February 13, 2007

The Honorable Board of Supervisors
County of Los Angeles
383 Kenneth Hahn Hall of Administration
500 West Temple Street
Los Angeles, CA 90012

Dear Supervisors:

**AWARD OF PUBLIC WORKS CONSTRUCTION CONTRACTS
SUPERVISORIAL DISTRICTS 1 AND 3
3 VOTES**

IT IS RECOMMENDED THAT YOUR BOARD:

Award and authorize the Director of Public Works, or his designee, to prepare the construction contracts in the form previously approved by County Counsel, execute the contracts, and establish the effective dates following receipt of approved Faithful Performance and Labor and Material bonds filed by the contractors for the following:

Project ID No. TRN0000012 - Fairplex Park and Ride Improvements, City of Pomona (1), to C.S. Legacy Construction, Inc., in amount of \$883,851.00.

Project ID No. GMEM000001 - Agoura Road Yard Fuel Above-Ground Storage Tank, Capital Project 88892, vicinity of Agoura Hills (3), to TLM Petro Labor Force, Inc., in amount of \$196,799.60.

PURPOSE/JUSTIFICATION OF RECOMMENDED ACTION

We are recommending that your Board award these construction contracts and authorize the Director of Public Works, or his designee, to execute the contracts and establish the effective contract dates following receipt of approved bonds and insurance filed by contractors for each of these projects.

The enclosure for each project includes the project description, the call for bids and bid opening dates, a tabulation of bids, and financial information. The certified record of receipt of bids and the original bid proposals for each project are also enclosed, including an addendum to the contract specifications for Project ID No. TRN0000012.

The recommended construction contracts are necessary to execute Board-directed and approved Public Works projects in support of operational missions. Your Board's approval of the recommended contract awards and our subsequent execution of the contracts will ensure the timely completion of the projects.

Implementation of Strategic Plan Goals

The award of these construction contracts is consistent with the County Strategic Plan Goal of Service Excellence since these contracts will provide improved infrastructure to better serve the public.

FISCAL IMPACT/FINANCING

The enclosure for each project includes the amount of the recommended contract as compared with the engineer's estimate and the other bids received.

These projects are included in the 2006-07 Department of Public Works Budget. The enclosure for each project includes more detailed fiscal and financial information.

FACTS AND PROVISIONS/LEGAL REQUIREMENTS

Recommended contract awards are to the lowest responsible bidders in accordance with the California Public Contract Code and your Board's directives.

On October 27, 1981, your Board adopted a program for the use of small Minority and Women-owned Businesses (MWBs) on Federal- and State-funded highway construction contracts. Companies meeting these requirements are certified by the State as Disadvantaged Business Enterprises (DBEs). An overall goal for subcontracting portions of the work to DBEs is established for each project. Contracts are recommended for award to the lowest responsible bidder who meets the goal or documents a good faith effort to do so in conformance with the program.

We have also developed an outreach program to encourage all qualified contractors to participate in the bidding and contracting process on our projects. Under this program, we place notices of upcoming bids in local and minority newspapers throughout the County. These notices indicate that copies of plans and specifications are available at specified libraries and the Public Works Headquarters building. This allows interested contractors to view the plans and specifications at convenient locations. We also provide telephone numbers (including one for Spanish-speaking contractors) to obtain further information on bidding and subcontracting opportunities.

To further increase contractor awareness of contracting opportunities with Public Works, each of these projects was listed on the County website for upcoming bids.

The State Labor Code requires contractors to pay prevailing wage rates to all persons employed on public works construction contracts. These rates are determined by the Department of Industrial Relations and include contributions for fringe benefits such as vacations, pension funds, training, and health plans for each employee.

As required by your Board, language has been incorporated into the project specifications stating that the contractor shall notify its employees, and shall require each subcontractor to notify its employees, that they may be eligible for the Federal Earned Income Credit under the Federal income tax laws.

The contracts will be in the form previously approved by County Counsel. We will also review and approve the faithful performance and payment bonds filed by the contractors.

ENVIRONMENTAL DOCUMENTATION

Each of these projects were found to be categorically exempt from the provisions of the California Environmental Quality Act at the time your Board called for bids. The specifics of these findings are included in the enclosure for each project.

CONTRACTING PROCESS

The contracts were solicited on an open competitive basis in accordance with the provisions of the Public Contract Code.

The project specifications contain provisions requiring the contractor to report solicitations of improper consideration by County employees and allowing the County to terminate the contract if it is found that the contractor offered or gave improper consideration to County employees.

Public Works has confirmed that all of the respective contractors are in compliance with the County's Child Support Compliance Program and the requirements of the Contractor Employee Jury Service Program. In addition, the contracts will include language requiring compliance with the Newborn Abandonment Law (Safely Surrendered Baby Law).

The project specifications also contain a provision that, should the contractor require additional or replacement personnel to fill employment openings, consideration shall be given to hiring qualified participants in the County's Greater Avenues for Independence or General Relief Opportunities for Work Programs.

To ensure that the contracts are awarded to responsible contractors with satisfactory performance histories, bidders are required to report False Claims Act violations, labor law/payroll violations, debarments, their civil litigation history, and information regarding prior criminal convictions. The information reported by all of the respective contractors was considered before making this recommendation to approve execution of the contracts.

IMPACT ON CURRENT SERVICES (OR PROJECTS)

These construction contracts will result in improved public works infrastructure in the communities where the work is scheduled. Where appropriate, local residents and businesses will be informed that traffic and local access may be mildly disrupted during the construction. The proposed schedules for construction are included in the enclosure for each project.

The Honorable Board of Supervisors
February 13, 2007
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CONCLUSION

Please return one adopted copy of this letter to Public Works.

Respectfully submitted,

DONALD L. WOLFE
Director of Public Works

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cc: Chief Administrative Office
County Counsel
Office of Affirmative Action Compliance

AWARD OF CONTRACT
February 13, 2007

PROJECT ID NO. TRN0000012, Fairplex Park And Ride Improvements
(City of Pomona), Supervisorial District 1

TYPE OF WORK: Resurfacing of parking lot pavement; construction of landscaping, irrigation, and picket rail fence; installation of striping, pavement markings and signs; and other appurtenant work.

CALL FOR BIDS DATE: December 12, 2006 (Agenda No. 50)

BID OPENING DATE: January 9, 2007

BID SUMMARY:

Low	C.S. Legacy Construction, Inc., a corporation 13263 Yorba Avenue Chino, California 91710 (909) 590-2626	\$ 883,851.00
2	Bannaoun Engineers Constructor Corp.	\$ 914,639.60
3	+Sol Construction, Inc.	\$ 936,164.00
4	+MTM Construction, Inc.	\$1,035,144.00
5	Sully-Miller Contracting Company	\$1,073,532.80
6	+Ace Engineering, Inc.	\$1,074,764.00
7	Palp, Inc.	\$1,139,404.00
8	Vido Samarzich, Inc.	\$1,157,007.25
9	Mega Lighting, Inc.	\$1,297,185.25
10	+LMT Enterprises, Inc.	\$1,658,997.00

+MWBE

FINANCIAL INFORMATION:

Amount of estimate	\$ 946,708.55
Amount of recommended contract	\$ 883,851.00
Amount of recommended contract below estimate	\$ 62,857.55

The amount of the recommended contract is 6.6 percent below the estimate.

Sufficient funds for this project are available in the First Supervisorial District's Proposition A Local Return Transit Program. This project is included in the Fiscal Year 2006-07 Transit Enterprise Fund Budget.

MINORITY/ WOMEN-OWNED BUSINESS ENTERPRISES DATA:

C.S. Legacy Construction, Inc., has no MWBE subcontractors/suppliers under this contract.

ENVIRONMENTAL IMPACT:

This project is categorically exempt pursuant to Class 2(e), of the revised County Environmental Document Reporting Procedures and Guidelines adopted by your Board on November 17, 1987, and Section 15302 (c) of the California Environmental Quality Act Guidelines.

CONSTRUCTION SCHEDULE:

The contract specifications require the work to be completed in 60 working days. It is estimated the work will start in April and be completed in June 2007.

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AWARD OF CONTRACT
February 13, 2007

PROJECT ID NO. GMEM000001, AGOURA ROAD YARD FUEL ABOVE-GROUND STORAGE TANK, CAPITAL PROJECT 88892 (in the vicinity of Agoura Hills),
Supervisory District 3

TYPE OF WORK: Construction of a new above-ground fuel storage and dispensing system, reinforced concrete fueling pad, canopy, and other appurtenant work at the Agoura Road Yard facility.

CALL FOR BIDS DATE: December 19, 2006 (Agenda No. 56)

BID OPENING DATE: January 16, 2007

BID SUMMARY:

Low	*TLM Petro Labor Force, Inc., a corporation 909 North Alameda Street Compton, California 90220 (310) 639-2227	\$196,799.60
2	JEM Industries, Inc.	\$235,534.00
3	Geofon, Inc.	\$249,786.00
4	Fleming Environmental, Inc.	\$254,750.00

* MWBE

FINANCIAL INFORMATION:

Amount of estimate	\$191,656.00
Amount of recommended contract	\$196,799.60
Amount of recommended contract above estimate	\$ 5,143.60

The amount of the recommended contract is 2.7 percent above the estimate.

Geo-Cal, Inc., submitted a bid in the amount of \$299,550.00; however, their bid failed to include a fully executed bid bond. Therefore, their bid was considered nonresponsive and rejected as provided in the Instructions to Bidders.

MINORITY/WOMEN-OWNED BUSINESS ENTERPRISE DATA:

TLM Petro Labor Force, Inc., has no MWBE subcontractors/suppliers under this contract.

ENVIRONMENTAL IMPACT:

This project is categorically exempt pursuant to Class 2, Section 15302 (c), of the California Environmental Quality Act Guidelines.

CONSTRUCTION SCHEDULE:

The contract specifications require the work to be completed in 45 working days. It is estimated the work will start in April and be completed in June 2007.

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